

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 44 final

Brussels, 9 February 1982

Proposal for a

COUNCIL REGULATION (EEC)

derogating from Regulation (EEC) No 456/80 in respect of the date when  
applicants for an abandonment premium must have carried out grubbing of  
vines

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(submitted to the Council by the Commission)

COM(82) 44 final



EXPLANATORY MEMORANDUM

The grant of the temporary abandonment premiums provided for by Regulation (EEC) No 456/80 is subject to an undertaking by the applicant to grub vines on the area in question before 1 April each year. In order to ensure that the farmer in question is entitled to the aid applied for and to determine, in accordance with the Community rules, the amount of the aid, the competent authorities of the Member States must undertake on-the-spot verification of some technical matters. As it has not been possible to make all the necessary verifications in time to allow applicants to comply with their undertakings, one Member State as requested th waiver set out in this proposed Regulation.

PROPOSAL FOR <sup>4</sup>  
COUNCIL REGULATION (EEC)

derogating from Regulation (EEC) No 456/80 in  
respect of the date when applicants for an abandonment premium must have  
carried out grubbing of vines

THE COUNCIL OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation (EEC) No  
456/80 of 18 February 1980 on the granting of  
temporary and permanent abandonment premiums in  
respect of certain areas under vines and of premiums  
for the renunciation of replanting<sup>(1)</sup>, as amended by  
Regulation (EEC) No 1993/80<sup>(2)</sup>, and in particular the  
second subparagraph of Article 9 thereof,

Having regard to the proposal from the Commission,

Whereas Article 3 (2) of Regulation (EEC) No 456/80  
lays down that the grant of the abandonment  
premium is to be subject to a written declaration  
whereby the producer undertakes in particular by 1  
April of the year following that in which the applica-  
tion is lodged to grub up or have grubbed up the  
vines on the areas for which the premium has been  
applied for; whereas the competent authorities of the  
Member States are not able to verify on-the-spot  
before grubbing in sufficient time a series of technical factors  
necessary for determination of the premium, on account  
of the large number of applications made shortly before the end of  
the period laid down;

This Regulation shall be binding in its entirety and directly applicable in all Member  
States.

Done at Brussels,

whereas, accordingly, producers who applied for the  
temporary abandonment premium may not be  
able to comply with the undertaking referred to  
above; whereas it is therefore necessary to make use  
of the possibility envisaged in the second subpara-  
graph of Article 9 of Regulation (EEC) No 456/80 and  
provide for a derogation in respect of that date,

HAS ADOPTED THIS REGULATION:

*Article 1*

The undertaking referred to  
in the first indent of Article 3 (2) of Regulation (EEC)  
No 456/80 shall be considered to have been complied  
with by the applicant if grubbing is carried out before  
15 June.

*Article 2*

This Regulation shall enter into force on the day of its  
publication in the *Official Journal of the European  
Communities*.

*For the Council*

<sup>(1)</sup> OJ No L 57, 29. 2. 1980, p. 16.  
<sup>(2)</sup> OJ No L 195, 29. 7. 1980, p. 12.